

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Adler, John C.; Baghdasarian, Zareh; Parsi, Vahid; Saleh, Ali N.;
Zadekian, H. Michael
Assignee: Cisco Technology, Inc.

Title: Resource Management Protocol For A Configurable Network Router

Serial No.: 09/714,784 Filing Date: November 15, 2000

Examiner: Unassigned Group Art Unit: 2662

Docket No.: M-7166-3P US

COPY

San Jose, California
August 20, 2001

BOX MISSING PARTS
COMMISSIONER FOR PATENTS
Washington, D. C. 20231

PETITION UNDER 37 C.F.R. § 1.47(a) IN CONNECTION WITH AN INVENTOR
WHO REFUSES TO SIGN THE DECLARATION

Dear Sir:

One of the inventors, Ali N. Saleh, has refused to sign the declaration. Therefore, the Declaration is executed by the other inventors, both on behalf of themselves and on behalf of the unavailable inventor.

Per MPEP 409.03(a), "An oath or declaration signed by all the available joint inventors with the signature block of the non-signing inventor(s) left blank may be treated as having been signed by all the available inventors on behalf of the non-signing inventor(s), unless otherwise indicated."

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP

25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

The last known address for the refusing inventor is:

COPY

Ali N. Saleh
501 Royal Plaza Drive
Ft. Lauderdale, Florida 33301

The pertinent facts regarding the refusal of Mr. Saleh to sign the declaration are as follows:

Upon information and belief, while Mr. Saleh has consistently expressed to Mr. Sam Campbell, Attorney for Applicants, his willingness to execute any documents with respect to filing the application in the United States Patent & Trademark Office, no such assistance has been forthcoming. On March 5, 2001, Applicants' Attorney delivered directly to Mr. Saleh, a copy of the above-listed application, together with the Declaration in order to obtain Mr. Saleh's dated signature on the Declaration. A copy of the letter (Exhibit A) is enclosed. On July 2, 2001, Applicants' Attorney delivered directly to Mr. Saleh, another copy of the above-listed application, together with the Declaration in order to obtain Mr. Saleh's dated signature on the Declaration. A copy of the letter (Exhibit B) is enclosed.

Further, on June 11, 2001; June 19, 2001; July 20, 2001; July 26, 2001; August 6, 2001; August 9, 2001; August 10, 2001; August 13, 2001; August 15, 2001; August 19, 2001; and August 20, 2001 Applicants' Attorney contacted or attempted to contact Mr. Saleh regarding obtaining his signature on the Declaration, but was unsuccessful in obtaining same. If Mr. Saleh provides a signed declaration in response, the signed declaration will be filed with the U.S. Patent and Trademark Office.

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP

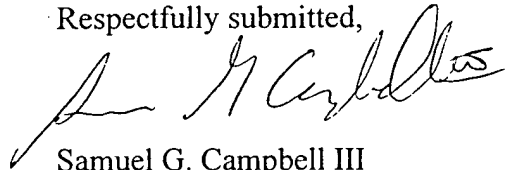
25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

Please charge Deposit Account No. 19-2386 the amount of \$130.00 for the required fee under 37 C.F.R. §§ 1.47(a) and 1.17(h). The Commissioner is hereby authorized to charge any amounts underpaid for this Petition, and credit any overpayments to the same Deposit Account No. 19-2386.

EXPRESS MAIL LABEL NO:

EL803199525 US

Respectfully submitted,



Samuel G. Campbell III
Attorney for Applicant(s)
Reg. No. 42,381

COPY

LAW OFFICES OF
SKJERVEN MORRILL
MACPHERSON LLP

25 METRO DRIVE
SUITE 700
SAN JOSE, CA 95110
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FAX (408) 453-7979



SKJERVEN
MORRILL
MACPHERSON LLP

FILE COPY

EXHIBIT A

March 5, 2001

COPY

VIA FEDERAL EXPRESS

Ali N. Saleh
501 Royal Plaza Drive
Ft. Lauderdale, Florida 33301

Re: U. S. Patent Application entitled: "A Resource Management Protocol
For A Configurable Network Router"
Inventor(s): Ali N. Saleh et al.
Serial No.: 09/714,784
Filing Date: November 15, 2000
Your Reference: Seq. No. 3803
Our Reference: M-7166-3P US

Dear Ali:

Enclosed please find an Assignment and Declaration that need to be signed you in the above-referenced patent application. I have also included for your review a copy of the patent application and drawings as they were filed with the U. S. Patent & Trademark Office. If the application as filed accurately reflects your invention, please sign the following enclosed documents and return them to me.

DOCUMENTS TO BE SIGNED.

Enclosed for signature and filing with the U.S. Patent and Trademark Office are the following documents:

- **Declaration for Patent Application** - must be **signed** and **dated** by each inventor. Please confirm and/or fill in all personal information of each inventor, including citizenship.
- **Assignment** - must be **signed** and **dated** by each inventor in the presence of a notary.

The inventors' signatures on the declaration certify that they have reviewed and understood the specification including the claims. Failure to read and understand the specification, including the claims, before signing the declaration may jeopardize the application as well as any patent or patents which issue from the application.

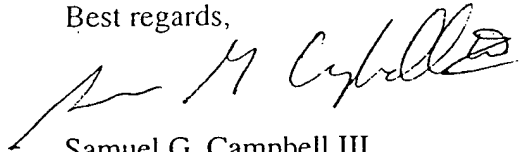
Ali N. Saleh
M-7166-3P US
March 5, 2001
Page 2

COPY

After all the documents have been fully executed, please return the original signed and dated documents to me in the enclosed Federal Express envelope. These documents must be filed with the U.S. Patent and Trademark Office by **April 20, 2001** to avoid payment of extension fees.

Please call if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "Samuel G. Campbell III", with a stylized flourish at the end.

Samuel G. Campbell III

SGC:lc
Enclosures
730023 v1

9600 Great Hills Trail
Suite 300W

Austin
Texas 78759

T: 512-794-3600
F: 512-794-3601

San Jose, CA
San Francisco, CA
Newport Beach, CA

EXHIBIT B

skjerven morrill
macpherson LLP

FILE COPY

July 2, 2001

VIA AIRBORNE EXPRESS

Ali N. Saleh
501 Royal Plaza Drive
Ft. Lauderdale, Florida 33301

COPY

Re: U. S. Patent Application entitled: "A Resource Management Protocol
For A Configurable Network Router"
Inventor(s): Ali N. Saleh et al.
Serial No.: 09/714,784
Filing Date: November 15, 2000
Your Reference: Seq. No. 3803
Our Reference: M-7166-3P US

Dear Ali:

It is our understanding that you no longer have the necessary documents that we previously sent you so that we may respond to Missing Parts in regard to the above application. Therefore, enclosed please find an Assignment and Declaration that need to be signed by you in the above-referenced patent application. I have again included for your review a copy of the patent application and drawings as they were filed with the U. S. Patent & Trademark Office. If the application as filed accurately reflects your invention, please sign the enclosed documents. **It is not necessary to have the Assignment notarized.**

After all the documents have been fully executed, please return the original signed and dated documents to me in the enclosed Airborne Express envelope. These documents must be filed with the U.S. Patent and Trademark Office by July 20, 2001 to avoid further payment of extension fees.

Please call if you have any questions.

Best regards,

Sam Campbell III (cc)

Samuel G. Campbell III

SGC:lc
Enclosures
730023 v1

**DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY****COPY**

As named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

A Resource Management Protocol For A Configurable Network Router

which (check) ☐ is attached hereto.
☐ and is amended by the Preliminary Amendment attached hereto.
☒ was filed on November 15, 2000 as Application Serial No. 09/714,784.
☐ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A			<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date
N/A	

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
09/232,395	January 15, 1999	Pending

I hereby appoint the following practitioners to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Customer Number 24251



Please address all correspondence and telephone calls to:

COPY

Sam Campbell
SKJERVEN MORRILL MacPHERSON LLP
 25 Metro Drive, Suite 700
 San Jose, California 95110-1349

Telephone: 512-794-3600
 Facsimile: 512-794-3601

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of sole (or first joint) inventor: Ali Najib Saleh

Inventor's Signature: _____

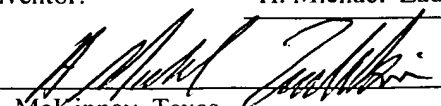
Date: _____

Residence: Ft. Lauderdale, Florida

Post Office Address: 501 Royal Plaza Drive
Ft. Lauderdale, Florida 33301

Citizenship: United States

Full name of second inventor: H. Michael Zadikian

Inventor's Signature: 

Date: Mar 15, 2001

Residence: McKinney, Texas

Post Office Address: 919 Parkwood Court
McKinney, TX 75070

Citizenship: United States

COPY

Full name of third inventor: John C. Adler

Inventor's Signature: _____

Date: _____

Residence: Plano, Texas

Post Office Address: 6725 Biltmore Place
Plano, Texas 75023

Citizenship: United States

Full name of fourth inventor: Zareh Baghdasarian

Inventor's Signature: _____

Date: _____

Residence: La Canada, California

Post Office Address: 1820 Fairmount Avenue
La Canada, California 91011

Citizenship: United States

Full name of fifth inventor: Vahid Parsi

Inventor's Signature: _____

Date: _____

Residence: Sherman Oaks, California

Post Office Address: 14532 Otsego Street
Sherman Oaks, CA 91403

Citizenship: Iran

**DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY****COPY**

As the named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below adjacent to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter (process, machine, manufacture, or composition of matter, or an improvement thereof) which is claimed and for which a patent is sought by way of the application entitled

A Resource Management Protocol For A Configurable Network Router

which (check) ☐ is attached hereto.
☐ and is amended by the Preliminary Amendment attached hereto.
☒ was filed on November 15, 2000 as Application Serial No. 09/714,784.
☐ and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
N/A			<input type="checkbox"/>	<input type="checkbox"/>

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N/A	

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09/232,395	January 15, 1999	Pending

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Customer Number 24251



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COPY

Sam Campbell
SKJERVEN MORRILL MacPHERSON LLP
 25 Metro Drive, Suite 700
 San Jose, California 95110-1349

Telephone: 512-794-3600
 Facsimile: 512-794-3601

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Full name of sole (or first joint) inventor: Ali Najib Saleh

Inventor's Signature: _____

Date: _____

Residence: Ft. Lauderdale, Florida

Post Office Address: 501 Royal Plaza Drive
Ft. Lauderdale, Florida 33301

Citizenship: United States

Full name of second inventor: H. Michael Zadikian

Inventor's Signature: _____ Date: _____

Residence: McKinney, Texas
Post Office Address: 919 Parkwood Court Citizenship: United States
McKinney, TX 75070

COPY

Full name of third inventor: John C. Adler

Inventor's Signature:  Date: 4/3/01

Residence: Plano, Texas
Post Office Address: 6725 Biltmore Place Citizenship: United States
Plano, Texas 75023

Full name of fourth inventor: Zareh Baghdasarian

Inventor's Signature: _____ Date: _____

Residence: La Canada, California
Post Office Address: 1820 Fairmount Avenue Citizenship: United States
La Canada, California 91011

Full name of fifth inventor: Vahid Parsi

Inventor's Signature: _____ Date: _____

Residence: Sherman Oaks, California
Post Office Address: 14532 Otsego Street Citizenship: Iran
Sherman Oaks, CA 91403

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AND POWER OF ATTORNEY****COPY**

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A Resource Management Protocol For A Configurable Network Router

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☐ and is amended by the Preliminary Amendment attached hereto.
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COPY

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Full name of sole (or first joint) inventor: Ali Najib Saleh

Inventor's Signature: _____

Date: _____

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Ft. Lauderdale, Florida 33301

Citizenship: United States

COFFull name of second inventor: H. Michael Zadikian


Inventor's Signature: _____

Date: _____

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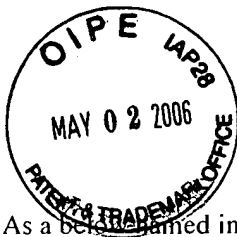
Date: _____

Residence: Plano, TexasPost Office Address: 6725 Biltmore Place
Plano, Texas 75023Citizenship: United StatesFull name of fourth inventor: Zareh BaghdasarianInventor's Signature: Date: 4/02/01Residence: La Canada, CaliforniaPost Office Address: 1820 Fairmount Avenue
La Canada, California 91011Citizenship: United StatesFull name of fifth inventor: Vahid Parsi

Inventor's Signature: _____

Date: _____

Residence: Sherman Oaks, CaliforniaPost Office Address: 14532 Otsego Street
Sherman Oaks, CA 91403Citizenship: Iran

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A Resource Management Protocol For A Configurable Network Router

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☐ and was amended on (if applicable).

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SKJERVEN MORRILL MacPHERSON LLP
 25 Metro Drive, Suite 700
 San Jose, California 95110-1349

Telephone: 512-794-3600
 Facsimile: 512-794-3601

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Full name of sole (or first joint) inventor: Ali Najib Saleh

Inventor's Signature: _____

Date: _____

Residence: Ft. Lauderdale, Florida

Post Office Address: 501 Royal Plaza Drive
Ft. Lauderdale, Florida 33301

Citizenship: United States

Full name of second inventor: H. Michael Zadikian

Inventor's Signature: _____ Date: _____

Residence: McKinney, Texas
 Post Office Address: 919 Parkwood Court Citizenship: United States
McKinney, TX 75070

COPY

Full name of third inventor: John C. Adler

Inventor's Signature: _____ Date: _____

Residence: Plano, Texas
 Post Office Address: 6725 Biltmore Place Citizenship: United States
Plano, Texas 75023

Full name of fourth inventor: Zareh Baghdasarian

Inventor's Signature: _____ Date: _____

Residence: La Canada, California
 Post Office Address: 1820 Fairmount Avenue Citizenship: United States
La Canada, California 91011

Full name of fifth inventor: Vahid Parsi

Inventor's Signature:  Date: 4-13-01

Residence: Sherman Oaks, California
 Post Office Address: 14532 Otsego Street Citizenship: Iran
Sherman Oaks, CA 91403